IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 7TH SEPTEMBER 2007 / 16TH BHADRA 1929

Bail Appl..No. 5258 of 2007()

AGAINST THE JUDGEMENT/ORDER IN BA.4189/2007 Dated 11/07/2007
CRIME NO.439/07 OF HOSDURG POLICE STATION)
.....

PETITIONER

RANJITH P.V.,S/O. KRISHNAN,
AGED 27 YEARS,KAKKATTU,KANATHUM MOOLA,
P.O. BANGALAM, HOSDURG VIA, KASARAGOD DT.

BY ADV. SRI.P.NARAYANAN

RESPONDENT:

STATION HOUSE OFFICER,
HOSDURG POLICE STATION,
REP.BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.No.5258 of 2007

Dated this the 7th day of September 2007

O R D E R

Application for anticipatory bail. The petitioner apprehends arrest as the first accused in a crime registered under Section 420 I.P.C. The crime has been registered on the basis of a private complaint filed before the learned Magistrate and referred by the learned Magistrate to the police under Section 156(3) Cr.P.C. Investigation is in progress. The petitioner apprehends imminent arrest.

2. The learned counsel for the petitioner submits that the petitioner has no role whatsoever in the running of the chit in question. The crux of the allegations is that those who ran the chit collected money with dishonest and fraudulent motives and caused wrongful loss to the victim.

3. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that the petitioner can be granted anticipatory bail. Both sides point out that similar view has already been taken by this court as per common order dated 11/7/2007 in B.A.No.4172/2007 and connected matters. Detailed reference to facts is not, in these circumstances, necessary.

4. In the result, this petition is allowed. Following directions are issued under Section 438 Cr.P.C in favour of the petitioner.

i) Petitioner shall surrender before the learned Magistrate having jurisdiction at 11 a.m on 14/09/2007.

ii) He shall be released on regular bail on condition that he executes a bond for Rs.25,000/-(Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioner shall make himself available for interrogation before the investigating officer between 10 a.m and 3 p.m on 15/09/2007 and 16/09/2007 and thereafter on all Mondays between 10 a.m and 12 noon for a period of one month and subsequently as and when directed by the investigating officer in writing to do so.

(iv) If the petitioner does not appear before the learned Magistrate as directed in clause (i), directions issued above shall thereafter stand revoked and the police shall be at liberty to arrest the petitioner and deal with him in accordance with law, as if these directions were not issued at all.

(v) If he were arrested prior to 14/09/2007, he shall be released from custody on his executing a bond for Rs.25,000/- (Rupees twenty five thousand only) without any sureties, undertaking to appear before the learned Magistrate on 14/09/2007.

(R.BASANT, JUDGE)

jsr

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007